

Presented to the Court by the foreman of the  
Grand Jury in open Court, in the presence of  
the Grand Jury and FILED in the U.S.  
DISTRICT COURT at Seattle, Washington.

January 8 20 25  
Ravi Subramanian, Clerk  
By [Signature] Deputy

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC H. KAPUSY,

Defendant.

NO.

**CR 25 - 001** **KKE**

**INDICTMENT**

The Grand Jury charges that:

**COUNT 1**

**Possession of Child Pornography**

Beginning on a date unknown and continuing until on or about December 18,  
2024, in King County, within the Western District of Washington, and elsewhere, ERIC  
H. KAPUSY knowingly possessed and accessed with intent to view, and attempted to do  
so, matter that contained any visual depiction—the production of which involved the use  
of a minor engaging in sexually explicit conduct and such visual depiction was of such  
conduct—that was mailed and shipped and transported using any means and facility of  
interstate and foreign commerce and in and affecting interstate and foreign commerce and  
that was produced using materials that had been so mailed and shipped and transported

1 by any means, including by computer, and any visual depiction involved in the offense  
2 involved a prepubescent minor and a minor who had not attained 12 years of age.

3 All in violation of Title 18, United State Code, Sections 2252(a)(4)(B) and  
4 2252(b)(2).

5 **FORFEITURE ALLEGATION**

6 The allegations contained in Count 1 of this Indictment are hereby realleged and  
7 incorporated by reference for the purpose of alleging forfeiture. Upon conviction of the  
8 offense alleged in Count 1, ERIC H. KAPUSY shall forfeit to the United States, pursuant  
9 to Title 18, United States Code, Section 2253(a), all property used to commit or to  
10 facilitate commission of the offense, any proceeds of the offense, and any data files  
11 consisting of or containing visual depictions within the meaning of Title 18, United States  
12 Code, Section 2253(a)(1).

13 //

14 //

15 //

1       **Substitute Assets.** If any of the above-described forfeitable property, as a result of  
2 any act or omission of the defendant,

- 3           a.     cannot be located upon the exercise of due diligence;  
4           b.     has been transferred or sold to, or deposited with, a third party;  
5           c.     has been placed beyond the jurisdiction of the Court;  
6           d.     has been substantially diminished in value; or,  
7           e.     has been commingled with other property which cannot be divided  
8                 without difficulty,

9 it is the intent of the United States to seek the forfeiture of any other property of the  
10 defendant, up to the value of the above-described forfeitable property, pursuant to  
11 Title 21, United States Code, Section 853(p).

12  
13                               A TRUE BILL:

14                               DATED:

15   *Signature of Foreperson redacted pursuant*  
16   *to the policy of the Judicial Conference of*  
17   *the United States.*

18   \_\_\_\_\_  
19   FOREPERSON

18  
19  
20                               \_\_\_\_\_  
21                               TESSA M. GORMAN  
22                               United States Attorney

21  
22  
23                               \_\_\_\_\_  
24                               MARCI L. ELLSWORTH  
25                               Assistant United States Attorney

24  
25  
26                               \_\_\_\_\_  
27                               LAURA HARMON  
                             Special Assistant United States Attorney